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Attorneys for Defendants
UBER TECHNOLOGIES, INC.;
RASIER, LLC; and RASIER-CA, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

This Document Relates to:

ALL ACTIONS

Case No. 3:23-md-03084-CRB

**DECLARATION OF MARK PREMO-
HOPKINS IN SUPPORT OF MOTION FOR
ENFORCEMENT OF PROTECTIVE ORDER**

Judge: Hon. Charles R. Breyer
Courtroom: 6 – 17th Floor

1 I, Mark Premo-Hopkins, declare as follows:

2 1. I am an attorney at Kirkland & Ellis L.L.P., counsel of record for Defendants Uber
3 Technologies, Inc., Raiser, LLC, and Raiser-CA, LLC (collectively, “Uber” or “Defendants”). I offer this
4 Declaration in the above-captioned matter in support of Uber’s Motion for Enforcement of the Protective
5 Order.

6 2. Attached as **Exhibit 1** is a true copy of my letter, dated August 8, 2025, to Diane Brayton.

7 3. Attached as **Exhibit 2** is a true copy of a letter, dated August 10, 2025, from David E.
8 McCraw to me.

9 4. Attached as **Exhibit 3** is a true copy of my email, dated August 1, 2025, at 6:23 p.m., to
10 lead counsel in the JCCP and the MDL, including John Eddie Williams, William A. Levin, C. Brooks
11 Cutter, Roopal P. Luhana, Sarah R. London, and Rachel B. Abrams.

12 5. Attached as **Exhibit 4** is a true copy of my letter, dated August 1, 2025, to lead counsel in
13 the JCCP and the MDL, including John Eddie Williams, William A. Levin, C. Brooks Cutter, Roopal P.
14 Luhana, Sarah R. London, and Rachel B. Abrams.

15 6. Attached as **Exhibit 5** is a true copy of an email, dated August 4, 2025, at 4:14 p.m., from
16 Sarah R. London in response to my August 1, 2025 email.

17 7. Attached as **Exhibit 6** is a true copy of an email, dated August 4, 2025, at 4:32 p.m., from
18 John Eddie Williams Jr. in response to my August 1, 2025 email.

19 8. Attached as **Exhibit 7** is a true copy of my email, dated August 4, 2025, at 7:16 p.m., to
20 lead counsel in the JCCP and the MDL, including John Eddie Williams, William A. Levin, C. Brooks
21 Cutter, Roopal P. Luhana, Sarah R. London, and Rachel B. Abrams.

22 9. Attached as **Exhibit 8** is a true copy of an email, dated August 5, 2025, at 10:30 p.m., from
23 William Levin in response to my August 4, 2025 email.

24 10. Attached as **Exhibit 9** is a true copy of an email dated August 6, 2025, at 3:47 p.m., from
25 Steven Cohn in response to my August 4, 2025 email.

26 11. Attached as **Exhibit 10** is a true copy of a letter dated August 6, 2025, from Roopal P.
27 Luhana, Sarah R. London, and Rachel B. Abrams to me.
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1 12. Attached as **Exhibit 11** is a true copy of an email, dated August 6, 2025, at 5:21 a.m., from
2 Brooks Cutter in response to my August 4, 2025 email.

3 13. Attached as **Exhibit 12** is a true copy of my email, dated August 6, 2025 at 8:28 p.m., to
4 lead counsel in the MDL, including Roopal P. Luhana, Sarah R. London, and Rachel B. Abrams. I
5 requested that counsel provide availability for a meet-and-confer by phone the next day to discuss the
6 source of the sealed documents referenced in the New York Times's August 6, 2025 story.

7 14. Attached as **Exhibit 13** is a true copy of an email, dated August 7, 2025, at 8:34 p.m., from
8 Sarah London to me. Ms. London stated that she could confer that evening or the next morning.

9 15. I met and conferred with lead counsel in the MDL, including Roopal P. Luhana, Sarah R.
10 London, and Rachel B. Abrams, via phone on August 10, 2025. I explained that Uber has received
11 confirmation from the New York Times that File and Serve was not the source of the sealed documents
12 referenced in the August 6, 2025 story, and that Uber was also conducting its own investigation.

13 16. Attached as **Exhibit 14** is a true copy of my email, dated August 11, 2025, at 6:06 p.m., to
14 lead counsel in the MDL, including Roopal P. Luhana, Sarah R. London, and Rachel B. Abrams. I
15 requested that to avoid motion practice, each of Plaintiffs' firms that had access to the sealed documents
16 referenced in the August 6, 2025 story certify that they (1) "contacted each employee, contractor,
17 consultant or agent (including expert witnesses) working with [the firm], as well as any client who, based
18 on a reasonable investigation, may have had access to the compilation of sealed documents/exhibits (or a
19 significant subset thereof) submitted in connection with Plaintiffs' summary judgment opposition in the
20 JCCP"; and (2) "[e]ach of th[ose] individuals ... confirmed [] that they had not shared or in any way
21 provided access, directly or indirectly, to any of the documents referenced in the Article to the New York
22 Times or its agents, either directly or indirectly" or that the investigation "revealed information concerning
23 the source of this unauthorized disclosure to the New York Times," in which case I requested that counsel
24 "describe the circumstances of such disclosure."

25 17. Attached as **Exhibit 15** is a true copy of my email, dated August 11, 2025, at 6:18 p.m., to
26 lead counsel in the JCCP, including John Eddie Williams, William A. Levin, and C. Brooks Cutter. I
27 requested that counsel meet and confer regarding any impact the publication of the New York Times story
28 on August 6, 2025 may have on the Court's final sealing rulings and to discuss the fact surrounding any

1 violation of the Court’s protective order that led to the story’s publication. I also requested that each of
2 Plaintiffs’ firms that had access to the sealed documents referenced in the August 6, 2025 story certify
3 that they (1) “contacted each employee, contractor, consultant or agent (including expert witnesses)
4 working with [the firm], as well as any client who, based on a reasonable investigation, may have had
5 access to the compilation of sealed documents/exhibits (or a significant subset thereof) submitted in
6 connection with Plaintiffs’ summary judgment opposition in the JCCP”; and (2) “[e]ach of th[ose]
7 individuals ... confirmed [] that they had not shared or in any way provided access, directly or indirectly,
8 to any of the documents referenced in the Article to the New York Times or its agents, either directly or
9 indirectly” or that the investigation “revealed information concerning the source of this unauthorized
10 disclosure to the New York Times,” in which case I requested that counsel “describe the circumstances of
11 such disclosure.”

12 18. Lead counsel for the MDL have suggested that motion practice is not necessary and that
13 they will modify the language proposed by Uber, but to date they have not provided the certification
14 responsive to Uber’s request. Lead counsel also have not confirmed that each plaintiff law firm in the
15 MDL would provide the certification with the language Uber requested.

16 19. Attached as **Exhibit 16** is a true copy of my email, dated August 13, 2025, at 9:25 p.m., to
17 lead counsel in the MDL, including Roopal P. Luhana, Sarah R. London, and Rachel B. Abrams. During
18 a Zoom-based meet-and-confer on August 13, 2025 with representatives from multiple law firms who
19 represent plaintiffs in the MDL, and after they had received Uber’s request for certification in writing,
20 those lawyers confirmed that they would not be providing any further information or certification in
21 response to Uber’s request.
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1 I declare under penalty of perjury under the laws of the State of California and the laws of the
2 United States of America that the foregoing is true and correct.

3 Dated: August 13, 2025

Respectfully submitted,

4
5 By: /s/ Mark Premo-Hopkins

Mark Premo-Hopkins (Admitted *Pro Hac*
Vice)

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9 *Attorneys for Defendants*

10 UBER TECHNOLOGIES, INC.; RASIER,
11 LLC; and RASIER-CA, LLC
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